IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L) NO.18 OF 2005

IN

WRIT PETITION (L) NO.3182 OF 2004

Ashok Hari Bhagat. .. .. Petitiioner
v/s.
Union of India. .. .. Respondents

Mr.Yogendra Kanchan for petitioner.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 23RD MARCH 2005

P.C. :

1. Heard Mr.Kanchan in support of this review petition. This review petition is filed to seek a review of our order passed on 4th March 2005. Mr.Kanchan draws our attention to the following sentence appearing in Para-4 of our order:-

> " This is because the learned Counsel appearing for the petitioner, having taken instructions from him, has made a statement that the petitioner will appear before the Enquiry Officer on Thursday, 10th March 2005. "

He states that he was not present on that date and one Mr.P.V. Nichani represented the petitioner. He further states that the petitioner was not in sound mental condition and, therefore, he gave instructions as recorded in this sentence to the Advocate who appeared for him on that date. It is not possible for us to accept such a contention. The petitioner very much knew as to what was the discussion in the Court. He was present on the previous date also. On the concerned date i.e. on 4th March 2005, on his instructions the Advocate concerned had made the statement which is recorded in that paragraph. There is no reason to review the order passed by us. The review petition is rejected.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)